

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ESTATE OF ALVIN COLE, et al.,

Plaintiffs,

CASE NO. 2:21-cv-00848

v.

CITY OF WAUWATOSA, et al.,

Defendants.

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Defendants, by their attorneys, WIRTH + BAYNARD, respectfully move the Court, the Honorable Lynn Adelman presiding, for an order dismissing Plaintiffs' Amended Complaint, (ECF No. 20-1 in Case No. 22cv856), in its entirety, including all claims alleged against the Defendants, on the merits and with prejudice pursuant to Fed. R. Civ. P. 56.

This Motion is supported by the following:

1. Defendants Memorandum in Support of Motion for Summary Judgment;
2. Defendants Proposed Findings of Fact in Support of Motion for Summary Judgment;
3. Declaration of Maria Albiter;
4. ECF 76 through 76-25, Declaration of Joseph Roy, with exhibits;
5. ECF 77 – 77-11, Declaration of Jasmyne M. Baynard, with exhibits, and
6. ECF 80 – 80-10, Supplemental Declaration of Jasmyne M. Baynard, with exhibits.

Through this Motion, the Defendants also seek the costs and disbursements of this Motion and action.

Dated this 31st day of July 2023.

WIRTH + BAYNARD
Attorneys for Defendants

/s/ Jasmyne M. Baynard
Jasmyne M. Baynard, WI Bar No. 1099898
9898 W. Bluemound Road, Suite 2
Wauwatosa, Wisconsin 53226
T: (414) 291-7979 / F: (414) 291-7960
Email: jmb@wbattys.com